

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
MONIQUE MILLER,) CASE NO. 05-64468 JPK
) Chapter 7
Debtor.)

ORDER REGARDING REAFFIRMATION AGREEMENT

On September 23, 2005, a document apparently intended to be a reaffirmation agreement between the debtor and Heritage Acceptance, Inc. was filed. The form of the document fails to comply with 11 U.S.C. § 524(c)(2)(B), in that it does not contain "a clear and conspicuous statement which advises the debtor that such agreement is not required under this title, under nonbankruptcy law or under any agreement not in accordance with the provisions of [§ 524(c)]". The first paragraph of 11 U.S.C. § 524(c) provides that a reaffirmation agreement is enforceable only if the provisions of that statute have been satisfied, including sub-section (c)(2)(B). The Court finds that the above-designated reaffirmation agreement does not conform to applicable law, and is unenforceable.

IT IS ORDERED that the Court will take no action with respect to the above-designated reaffirmation agreement, and that said reaffirmation agreement shall not be deemed effective or enforceable.

Dated at Hammond, Indiana on October 13, 2005.

/s/ J. Philip Klingeberger
J. Philip Klingeberger
United States Bankruptcy Court

Distribution:
Debtor
Trustee, US Trustee